



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAR 25 1982

OFFICE OF
AIR, NOISE, AND RADIATION

MEMORANDUM

SUBJECT: Withdrawal of Proposed Regulatory Actions

FROM: John M. Ropes, Director
Office of Noise Abatement and Control (ANR-471)

TO: Kathleen M. Bennett
Assistant Administrator
for Air, Noise and Radiation (ANR-443)

We have reworked, per Ed Tuerk's edited version, the attached Federal Register notice for the Combined withdrawal of major noise sources. Subsequent to my March 10th memo to you concerning the economic discussion in the notice, we received the strong recommendation of OGC that we address the present economic state of the potentially affected industries. We have therefore, retained one of the economic discussion paragraphs Ed recommended be deleted.

OGC further expressed opposition to our designation of the "Agency's regulatory action" list of major noise sources; and urged we speak in terms of the "list of identified major noise sources". They argued that removal of these products from the "list of identified major noise sources" does not constitute a "deidentification" action; the Perry memo had recommended against deidentification as have we. However, we believe that withdrawal from the list does constitute deidentification. To resolve the issue we have gone back to the language of Section 5(c) of the Act which gives the Administrator authority to revise "identification" reports. We believe this change of language and the brief additional discussion of authority clarifies the Agency's intent of these withdrawals.

The Action memo to the Administrator has been appropriately edited to reflect these changes.

Attachments